

STATUTORY RULES AND ORDERS,
1923, No. 1508.

AIR NAVIGATION.

THE AIR NAVIGATION (CONSOLIDATION) ORDER, 1923.
DATED DECEMBER 19, 1923.

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AT THE COURT AT BUCKINGHAM PALACE,

The 19th day of December, 1923.

PRESENT,

THE KING'S MOST EXCELLENT MAJESTY
IN COUNCIL.

Whereas, in pursuance of the powers conferred upon Him by the Air Navigation Act, 1920 (hereinafter referred to as "the Act"), His Majesty, in Council, was pleased to make the Air Navigation Order, 1922,^(a) and the Air Navigation (Amendment) Order, 1923,^(b) amending the said Order : 10 & 11
Geo. 5. c. 80.

And whereas it is expedient that the said Orders should be consolidated with amendments in manner hereinafter appearing :

And whereas the provisions of the Rules Publication Act, 1893, have been complied with : 56 & 57 Vict
c. 66.

Now therefore His Majesty is pleased, by and with the advice of His Privy Council, to order, and it is hereby ordered, as follows :—

1.—(1) An aircraft shall be deemed to possess the nationality of the State on the register of which it is entered. Nationality
of aircraft.

(2) Aircraft registered in Great Britain and Northern Ireland, and aircraft registered in any other part of His Majesty's dominions when in or over Great Britain and Northern Ireland, shall be deemed to be, and are in this Order referred to as, British aircraft.

2. The provisions of this Order apply (unless the contrary intention appears)— Aircraft to
which Order
applies

(a) to all British aircraft registered in Great Britain and Northern Ireland wherever such aircraft may be ;

(b) to other British aircraft and foreign aircraft when such aircraft are in or over Great Britain and Northern Ireland ;

and for the purposes of liability under this Order, other than liability for want of registration, where an aircraft is not registered and by reason thereof has no nationality for the purposes of this Order, this Order shall apply to such aircraft when flying within Great Britain and Northern Ireland in like manner as it applies to aircraft registered in Great Britain and Northern Ireland.

3.—(1) An aircraft shall not fly unless the following general conditions are complied with :— General
conditions
of flying.

(i) The aircraft shall be registered and bear the prescribed nationality and registration marks, and the name and residence of the owner affixed or painted on the aircraft in the prescribed manner ;

(ii) The aircraft shall be certified as airworthy in the prescribed manner, and any terms or conditions on

(a) S.R. & O., 1922, No. 663.

(b) S.R. & O., 1923, No. 557.

or subject to which the certificate of airworthiness was granted shall be duly complied with;

- (iii) The personnel of the aircraft shall be provided with the prescribed certificates of competency and licences;
- (iv) There shall be carried in the aircraft the prescribed documents and journey log book kept up to date in the prescribed form and manner:

Provided that:—

(a) Conditions (i), (ii) and (iv) shall not apply to aircraft flown for the purpose of experiment or test only, within three miles of a licensed aerodrome, a Royal Air Force aerodrome, an aerodrome under the control of the Secretary of State, or an aircraft factory, or in accordance with such directions (if any) as may be given by the Secretary of State; and

(b) Condition (iii) shall not apply in the case of candidates undergoing official tests for the purpose of obtaining a licence, or within three miles of a licensed aerodrome, a Royal Air Force aerodrome, or an aerodrome under the control of the Secretary of State, in the case of personnel whilst under instruction, or whilst engaged in a flight, in accordance with such directions as aforesaid, for the purpose of becoming eligible for the issue of a licence.

(2) In this article "prescribed," in relation to aircraft other than British aircraft registered in Great Britain and Northern Ireland, means prescribed by the law of the State on whose register the aircraft is entered and in relation to British aircraft registered in Great Britain and Northern Ireland, has the meaning assigned to it by article 31 of this Order.

Further
conditions
of flying
within
Great
Britain and
Northern
Ireland.

4.—(1) Save as hereinafter expressly provided, an aircraft shall not fly within Great Britain and Northern Ireland unless the following further conditions are complied with:—

- (i) The aircraft shall possess the nationality of a contracting State;
- (ii) The provisions of this Order as to general safety, and as to the dropping of articles from aircraft, shall be duly complied with;
- (iii) The aircraft shall not land in any prohibited area as defined in this Order and shall not fly over any such area at a lower altitude than 6,000 feet;
- (iv) Such members of the personnel of the aircraft as are British subjects shall be provided with certificates of competency and licences issued or rendered valid by a duly competent authority within His Majesty's Dominions;
- (v) The prescribed conditions as to the maintenance of airworthiness shall be complied with, and the prescribed certificates as to airworthiness shall be carried in the aircraft;

- (vi) The aircraft shall conform to such orders as may be lawfully given in regard to it by officers of Police or of Customs and Excise:

Provided that—

- (a) Condition (i) shall not apply to the aircraft of those States which have signed but have not ratified the Convention or of the following States, that is to say, Spain, Switzerland, Norway, Sweden, Denmark, the Netherlands, Finland, Esthonia, Latvia and Monaco or of a State with which a special convention relating to air navigation entered into by or on behalf of His Majesty is for the time being in force, so long as the conditions of the special convention are complied with; and

- (b) Conditions (i) and (v) shall not apply to aircraft flown for the purpose of experiment or test only, within three miles of a licensed aerodrome, a Royal Air Force aerodrome, an aerodrome under the control of the Secretary of State, or an aircraft factory, or in accordance with such directions (if any) as may be given by the Secretary of State; and

- (c) Condition (iv) shall not apply in the case of candidates undergoing official tests for the purpose of obtaining a licence, or within three miles of a licensed aerodrome, a Royal Air Force aerodrome, or an aerodrome under the control of the Secretary of State, in the case of personnel whilst under instruction or whilst engaged in a flight, in accordance with such directions as aforesaid, for the purpose of becoming eligible for the issue of a licence.

(2) A fixed balloon shall not be flown within five miles of any aerodrome within Great Britain and Northern Ireland except with the special permission in writing of the Secretary of State, and subject to any conditions that may be attached to such permission, and the Secretary of State may, on the granting of such permission or subsequently, direct that the provisions of this Order or any of them shall not apply to the balloon in question, or shall apply subject to such modifications as he thinks fit.

5.—(1) An aircraft carrying passengers for hire or reward shall not use as a regular place of departure or landing any place in Great Britain and Northern Ireland other than a licensed aerodrome, or an aerodrome specially approved for the purpose by the Secretary of State. Further conditions applicable to passenger aircraft.

(2) A passenger aircraft carrying more than ten passengers and having to make a continuous flight between two points more than 310 miles apart over land, or a night flight, or a flight between two points more than 124 miles apart over sea, shall have on board a licensed navigator.

Reference to
schedules.

6. The provisions in Schedules I. to VIII. inclusive to this Order shall have effect as part of this Order, and shall be duly observed by all persons concerned in the cases to which they relate, that is to say:—

Schedule.	Subject matter.
I.	Registration and marking of aircraft.
II.	Certificates of airworthiness for aircraft; periodical overhaul and examination; detention of unairworthy aircraft.
III.	Log books.
IV.	Rules as to lights and signals and rules of the air.
V.	Licensing of personnel.
VI.	Fees.
VII.	Prohibited areas.
VIII.	Customs rules as to aircraft arriving in or departing from Great Britain and Northern Ireland.

Aerodromes.

7.—(1) A place in Great Britain and Northern Ireland shall not be used as a regular place of landing or departure by aircraft carrying passengers for hire or reward, unless it is licensed for the purpose by the Secretary of State, and any conditions of such licence are complied with.

(2) Every aerodrome which is licensed for public use or which is open to such use by British aircraft upon payment of charges shall to the same extent and upon the same conditions be open to use by aircraft possessing the nationality of a contracting State.

(3) In every aerodrome to which the last preceding paragraph applies there shall be a single tariff of charges, including charges for landing and length of stay, applicable alike to British and foreign aircraft, and such tariff shall be in such form and on such a scale as may be directed or approved by the Secretary of State, and shall be kept exhibited in a conspicuous place at the aerodrome.

(4) In the case of any contravention of or failure to comply with this article, the proprietor of the aerodrome shall be deemed to have acted in contravention of or, as the case may be, failed to comply with this Order.

(5) Paragraphs (1), (2) and (4) of this article shall not apply to Royal Air Force aerodromes or aerodromes under the control of the Secretary of State, the use of which has been sanctioned by the Secretary of State, but any directions of the Secretary of State as to the use of such aerodromes shall be complied with.

Right of
inspection
and access to
aerodromes
and fac-
tories.

8.—(1) Any person authorized by the Secretary of State shall have the right of access at all reasonable times to any aerodrome for the purpose of inspecting the aerodrome, and any person so authorized and any police constable shall have the right of access at all reasonable times to any place to which access is necessary for the purpose of carrying out his powers and duties under this Order.

(2) All military aircraft belonging to or employed in the service of His Majesty shall have at all reasonable times the right of access to any licensed aerodrome, subject to the conditions of the licence.

(3) During the construction of an aircraft for which a certificate of airworthiness is desired, any person authorized by the Secretary of State shall, at all times during working hours, have the right of access for purposes of inspection to that portion of the shops in which parts are being manufactured or assembled, and to drawings of the parts under inspection, whether at the works of the main contractor or of sub-contractors.

9.—(1) An aircraft shall not fly over any city or town within Great Britain and Northern Ireland except at such altitude as will enable the aircraft to land outside the city or town should the means of propulsion fail through mechanical breakdown or other cause :

General
safety
provisions.

Provided that this prohibition shall not apply to any area comprised within a circle with a radius of one mile from the centre of a licensed aerodrome or of a Royal Air Force aerodrome or of an aerodrome under the control of the Secretary of State.

(2) A person in an aircraft in or over Great Britain and Northern Ireland shall not—

- (a) carry out any trick flying or exhibition flying over any city or town area or populous district; or
- (b) carry out any trick flying or exhibition flying over any regatta, race meeting, or meeting for public games or sports, except where specially arranged for in writing by the promoters of such regatta or meeting; or
- (c) carry out any flying which by reason of low altitude or proximity to persons or dwellings or for any other reason is the cause of unnecessary danger to any person or property on land or water.

(3) A person shall not smoke in any aircraft registered in Great Britain and Northern Ireland wherever such aircraft may be, or in any other aircraft when in or over Great Britain and Northern Ireland.

10. Where it appears to any person authorized in writing by the Secretary of State for the purposes of this article that any aircraft is intended or likely to be flown in such circumstances that the flight would be in contravention of any of the provisions of sub-paragraphs (i), (ii) and (iii) of paragraph (1) of article 3, or sub-paragraph (i) of paragraph (1) of article 4, or article 18 of this Order, or in such circumstances as to infringe any other provision of this Order and to be a cause of danger to persons in the aircraft or to persons or property on the ground, the person so authorized may give such directions, and take such steps by way of detention of the aircraft or otherwise in relation thereto, as appear to him to be necessary in order to prevent the flight, and, without prejudice to any provisions of this Order with respect to the obstruction of authorized persons, any person acting in

Power to
prevent
flights in
contraven-
tion of
Order.

contravention of any directions given under this article shall be deemed to have acted in contravention of this Order.

Photography
from air-
craft.

11. A person shall not take or cause or permit to be taken from an aircraft flying within Great Britain and Northern Ireland any photograph of a prohibited area, or of any part thereof, or of any object therein, except with the special permission in writing of the Secretary of State, and subject to any conditions that may be attached to such permission.

Drunkenness
of pilots, etc.

12. A person acting as, or carried in an aircraft for the purpose of acting as, pilot, commander, navigator, engineer, or operative member of the crew thereof, shall not, while so acting or carried, be in a state of intoxication or in a state in which, by reason of his having taken or used any sedative narcotic or stimulant drug or preparation, his capacity so to act is impaired.

Dropping of
articles from
aircraft.

13. A person shall not drop or cause or permit to be dropped from an aircraft flying within Great Britain and Northern Ireland any article except—

(1) ballast as authorized by paragraph 35 of Schedule IV. to this Order;

(2) articles dropped in accordance with directions issued by the Secretary of State.

Instruments,
etc., to be
carried by
British
aircraft.

14. Every British aircraft registered in Great Britain and Northern Ireland shall when flying carry such instruments and equipment as may be prescribed by the Secretary of State.

Documents
to be carried
by British
aircraft

15.—(1) Every British aircraft registered in Great Britain and Northern Ireland shall carry the following documents when flying :—

(a) its certificate of registration;

(b) its certificate of airworthiness, and any other certificate relating to the aircraft, which may be required by this Order;

(c) the certificates of competency and licences of its personnel;

(d) the journey log book;

(e) any licence to use wireless apparatus in the aircraft which may have been issued by the Postmaster-General.

(2) Every such aircraft engaged in international navigation shall, in addition, carry the following documents :—

(a) if it carries passengers, a list of their names;

(b) if it carries freight, bills of lading and manifest in respect thereof.

Certificate
of air-
worthiness.

16. The certificate of airworthiness of aircraft of a Contracting State, shall be kept at all times in the pocket of the journey log-book.

Production
of docu-
ments for
inspection.

17.—(1) Any person required under this Order to be provided with a licence shall on demand produce his licence, and, in the case of a pilot, his pilot's log book for the inspection of any person authorized for the purpose by the Secretary of State or of any police constable.

(2) The owner, hirer and person in charge of any aircraft shall on demand produce or cause to be produced, for the inspection of any person authorized for the purpose by the Secretary of State or of any police constable, any certificates, licences or log books relating to the aircraft, and, in the case of an aircraft engaged in international navigation if it carries passengers or freight, the list of names and the bills of lading and manifest respectively.

18. Save for the purposes of the provisions of Schedule IV. to this Order as to signals— Prohibited Carriage.

(1) An aircraft engaged in international navigation shall not carry explosives or arms or munitions of war; and

(2) A foreign aircraft shall not carry explosives or arms or munitions of war between any two points within Great Britain and Northern Ireland.

19.—(1) An aerial lighthouse shall not be established or maintained within Great Britain and Northern Ireland, nor the character of the light exhibited therefrom altered, except with the approval of the Secretary of State, and subject to such conditions as he may prescribe : Aerial lighthouses.

Provided that, in the case of an aerial lighthouse the light from which would or might be visible from the sea or from any waters over which a general lighthouse authority exercises jurisdiction, such approval shall not be given except with the consent of the general lighthouse authority.

(2) A person shall not wilfully or negligently injure or interfere with any aerial lighthouse established or maintained with the approval of the Secretary of State or any light exhibited from any such lighthouse.

20.—(1) Whenever any light is exhibited within Great Britain and Northern Ireland at such place or in such manner as to be liable to be mistaken for a light proceeding from an aerial lighthouse or for a prescribed light at an aerodrome, the Secretary of State may serve a notice upon the owner of the place where the light is exhibited or upon the person having charge of the light directing that owner or person within a reasonable time, to be specified in the notice, to take effectual means for extinguishing or effectually screening the light and for preventing for the future any similar light. False lights.

(2) The notice may be served either personally or by post, or by affixing the same in some conspicuous place near to the light to which the notice relates.

(3) If any owner or person on whom a notice is served under this article fails, without reasonable cause, to comply with the directions contained in the notice, he shall be deemed to have failed to comply with this Order.

(4) If any owner or person on whom a notice under this article is served, neglects for a period of seven days to extinguish or effectually to screen the light mentioned in the notice, the Secretary of State may enter upon the place where the light is

and forthwith extinguish the same, doing no unnecessary damage, and may recover the expenses incurred by him in so doing from the owner or person on whom the notice has been served.

(5) In the case of lights which would or might be visible from the sea or waters over which a general lighthouse authority exercises jurisdiction, the powers of the Secretary of State under this article shall not be exercised except with the consent of the general lighthouse authority.

Use of
signals,
signs and
marks.

21.—(1) In making or receiving signals by wireless telegraphy or other method of communication, except when opening up communications by means of visual signals, every aircraft possessing the nationality of a contracting State shall use as its call-sign the complete group of five letters which constitutes its nationality and registration marks.

(2) A person in an aircraft shall not make any signal prescribed by this Order except for the purposes specified therein, and shall not knowingly make, without lawful authority or excuse (proof whereof shall lie on the accused), any naval, military or air-force signal.

(3) An aircraft other than a State aircraft shall not bear any mark or sign used or appropriated for use by State aircraft.

Aerial corri-
dors and
arrival and
departure
from abroad.

22.—(1) The Secretary of State may prescribe points between which aircraft when entering Great Britain and Northern Ireland from abroad or leaving Great Britain and Northern Ireland for abroad shall pass.

(2) If such points are for the time being so prescribed, no aircraft shall enter Great Britain and Northern Ireland from abroad, or leave Great Britain and Northern Ireland for abroad, except between such points :

Provided that—

(a) if an aircraft is compelled by accident, stress of weather, or unavoidable cause, to enter Great Britain and Northern Ireland from abroad elsewhere than between such points it shall land at the Customs aerodrome in Great Britain and Northern Ireland nearest to its route; and

(b) if it is so compelled to land as aforesaid before reaching such aerodrome the procedure laid down in paragraph 21 of Schedule VIII. to this Order shall be followed.

4 & 5 Geo. 5.
c. 12.
9 & 10 Geo. 5.
c. 92.

(3) Any provisions for the time being in force of the Aliens Restriction Acts, 1914 and 1919, or of any Orders made thereunder, with respect to persons arriving in or departing from Great Britain and Northern Ireland by sea shall apply to persons arriving or departing by air as if the same were herein set out, with such modifications as are necessary for adapting them to such purpose.

Customs
provisions to
be observed
by aircraft
flying
abroad.

23. If the Secretary of State is satisfied that any person has, in respect of any British aircraft registered in Great Britain and Northern Ireland, been convicted by a competent court of an offence against the provisions of the Customs law of a contracting

State, so far as those provisions are in accordance with Annex H of the Convention, which is set out in Schedule IX. to this Order, he may (without prejudice to any other powers conferred upon him by this Order) cancel or suspend the certificate of registration of that aircraft.

24.—(1) A person shall not—

- (a) forge or fraudulently alter or assist in forging or fraudulently altering, or procure to be forged or fraudulently altered, any licence or certificate required under this Order; or
- (b) make, assist in making, or procure to be made any false representation for the purpose of procuring for himself or any other person the issue, validation, or renewal of any such licence or certificate; or
- (c) fraudulently use any such licence or certificate which has been forged, altered, cancelled, or suspended, or to which he is not entitled; or
- (d) fraudulently lend any such licence or certificate or allow it to be used by any other person.

(2) A person shall not destroy, mutilate, alter, or render illegible any log book or any entry made therein, or wilfully make or procure or assist in the making of any false or fraudulent entry in or omission from any log book.

Forgery, &c.,
of documents.

25. A foreign military aircraft shall not fly over or land in Great Britain and Northern Ireland except on the express invitation or with the express permission of His Majesty or of a Government Department, but any aircraft so flying or landing on such invitation or with such permission shall be exempt from this Order to such extent and on such conditions as may be specified in the invitation or permission.

Application
to foreign
military
aircraft.

26.—(1) Except where otherwise expressly stated, this Order applies to aircraft belonging to or employed in the service of His Majesty, other than military aircraft, but does not apply to any aircraft or to any persons if and to such extent as such aircraft or persons may be excepted from this Order by direction of the Secretary of State on the recommendation of a Government Department.

Exceptions
to operation
of Order

(2) The Secretary of State may, by a special and temporary authorisation in writing and subject to such conditions as may be specified therein, permit the flight within the limits of Great Britain and Northern Ireland of an aircraft which does not possess the nationality of a contracting State or of a State to which proviso (a) to paragraph (1) of article 4 of this Order applies; and in such case, during the period specified in the authorisation and provided that the conditions specified therein are complied with and that the authorisation is carried in the aircraft, the provisions of this Order shall not apply to such aircraft except to such extent as may be specified in the authorisation.

27.—(1) If an aircraft flies in contravention of, or fails to comply with, this Order or any provision thereof, the owner or hirer of the aircraft (if other than the Crown) and the pilot or com-

Penalties.

mander thereof shall be deemed to have contravened or, as the case may be, failed to comply with this Order:

Provided that—

- (a) it shall be a defence to any proceedings for such contravention of, or failure to comply with this Order if the contravention or failure is proved to have been due to stress of weather or other unavoidable cause; and
- (b) It shall be a defence to any proceedings under articles 9, 10, 11, 12 and 13 of this Order against the owner, hirer, pilot or commander of an aircraft to prove that the alleged contravention took place without his actual fault or privity.

(2) If any person obstructs or impedes any person acting under the authority of the Secretary of State in the exercise of his powers and duties under this Order, such first-mentioned person shall be deemed to have acted in contravention of this Order.

(3) If any person contravenes or fails to comply with this Order or any provision thereof he shall on summary conviction be liable to imprisonment for a term not exceeding six months or to a fine not exceeding two hundred pounds, or to both such imprisonment and fine.

(4) Any aircraft which flies or attempts to fly over a prohibited area or enters Great Britain and Northern Ireland in contravention of this Order is liable to be fired on in accordance with the provisions of Schedule VII. to this Order.

(5) Any proceedings in respect of contravention of or failure to comply with any of the provisions of Schedule VIII. to this Order shall be deemed to be proceedings for the recovery of a penalty under the Acts relating to the Customs.

Power to
cancel,
suspend, or
endorse
licences and
certificates.

28.—(1) Any certificate granted under Schedule I., or any licence granted under Schedules II. or V. to this Order, or the licence of any aerodrome, may be cancelled, suspended or endorsed by the Secretary of State on sufficient ground being shown to his satisfaction, after due inquiry, and his decision shall be final; and in special cases the Secretary of State may suspend any such licence temporarily and provisionally pending the holding of an inquiry.

(2) Any certificate granted under this Order relating to the airworthiness of an aircraft may be cancelled or suspended by the Secretary of State if he is satisfied that reasonable doubt exists as to the safety of the aircraft in question or of the type to which the aircraft in question belongs, and the conditions attached to any such certificate may be varied by the Secretary of State if he is satisfied that those conditions may properly be relaxed, or that reasonable doubt exists as to whether those conditions afford a sufficient margin of safety.

(3) Where any person is convicted of any contravention of or failure to comply with this Order in respect of any aircraft the Secretary of State may cancel or suspend any certificate of registration granted under this Order relating to that aircraft.

(4) The Secretary of State may require the holder of any licence or certificate granted under this Order (or any person

having the possession or custody of any such licence or certificate) to surrender the same to him for cancellation, suspension, endorsement or variation, in accordance with the provisions of this Order; and any person failing to comply with any such requirement within a reasonable time shall be deemed to have failed to comply with this Order.

29. Any regulations made by the Secretary of State under section 12 of the Act, for the investigation of accidents, shall, to such extent, if any, as may be specified in those regulations, apply to aircraft belonging to or exclusively employed in the service of His Majesty.

Application of accident regulations to Crown aircraft.

30. The Secretary of State may issue such directions as he thinks fit for the purpose of supplementing or giving full effect to the provisions of this Order, including the Schedules thereto.

Directions by the Secretary of State.

31.—(1) In this Order, unless the context otherwise requires—

Interpretation.

“The Convention” means the Convention for determining by a common agreement certain uniform rules with respect to international air navigation signed on behalf of His Majesty in Paris on the thirteenth day of October, 1919;

“The protocol” means the additional protocol to the Convention aforesaid which was signed on behalf of His Majesty in Paris, and dated the first day of May, 1920;

“Aircraft” includes all balloons, whether fixed or free, kites, airships, and flying machines;

“Airship” means an aircraft using gas lighter than air as a means of support, and having means of propulsion;

“Balloon,” either fixed or free, means an aircraft using gas lighter than air as a means of support and having no means of propulsion;

“Flying machine” includes all aeroplanes, seaplanes, flying boats, or other aircraft heavier than air and having means of propulsion;

“Military aircraft” includes naval, military, and air-force aircraft; and every aircraft commanded by a person in naval, military or air-force service detailed for the purpose shall be deemed to be a military aircraft;

“State aircraft” means military aircraft and aircraft exclusively employed in State service, including postal, customs and police service;

“Passenger aircraft” and “goods aircraft” mean respectively aircraft intended for carrying passengers or goods for hire or reward, and include respectively aircraft in which passengers or goods are actually so carried;

“Personnel” (in relation to an aircraft) includes the pilot, commander, navigator, and engineer, and any operative member of the crew;

“Goods” includes mails;

“Aerodrome” means any definite and limited ground or water area intended to be used, either wholly or in part, for the landing or departure of aircraft;

“Proprietor of an aerodrome” includes any person responsible for the management thereof;

"Licensed aerodrome" means an aerodrome licensed under this Order;

"Prescribed" (except where otherwise expressly provided) means prescribed by this Order or by directions of the Secretary of State thereunder;

"Prohibited area" means any of the areas referred to in Schedule VII. to this Order;

"Contracting State" means any State which is for the time being a party to the Convention, and this Order shall apply to aircraft possessing the nationality of a State in respect of which a derogation to His Majesty in respect of Great Britain and Northern Ireland has been granted under the Protocol as it applies to aircraft possessing the nationality of a contracting State;

"Secretary of State" includes, in relation to any purpose of this Order, any person authorized by the Secretary of State for that purpose, and references to a person authorized by the Secretary of State include references to the holder for the time being of any office designated by the Secretary of State;

"Under way," in relation to an airship, means when it is not made fast to the ground or any object on land or water;

(2) In this Order—

References to Great Britain and Northern Ireland include references to the territorial waters adjacent thereto; and

References to passengers carried for hire or reward include references to persons carried in aircraft for the purposes of instruction in flying for which payment is made.

(3) The Interpretation Act, 1889, applies for the purpose of the interpretation of this Order as it applies for the purpose of the interpretation of an Act of Parliament, and as if this Order were an Act of Parliament.

32.—(1) Where by any Order in Council for the time being in force any articles or words are directed to be added to or omitted from this Order, or to be substituted for any other articles or words in this Order, then, copies of this Order printed under the authority of His Majesty's Stationery Office, after such direction takes effect, may be printed with the articles or words added or omitted or substituted for other articles or words as such direction requires and with the articles and paragraphs thereof numbered in accordance with such direction, and this Order shall be construed as if it had at the time when such direction takes effect been made with such addition, omission or substitution.

(2) A reference in any document to this Order or to any provisions thereof shall, unless the context otherwise requires, be construed as referring to this Order as amended by any Order in Council for the time being in force.

33. Nothing in this Order shall be construed as conferring any right to land in any place as against the owner of the land or other persons interested therein, or as prejudicing the rights or

52 & 53
Vict. c. 63.

Printing of
Order.

Saving.

remedies of any person in respect of any injury to persons or property caused by an aircraft.

34.—(1) This Order may be cited as the Air Navigation (Consolidation) Order, 1923.

(2) This Order shall come into operation on the first day of January, 1924.

(3) Except where a contrary intention appears, this Order shall apply to the Isle of Man as if it formed part of Great Britain and were included in the expression "Great Britain," but subject to the substitution for references to the Aliens Restriction Acts, 1914 and 1919, of references to the Act of Tynwald Court called "The Aliens Restriction Act, 1922," which was approved by His Majesty in Council on the fourteenth day of July, 1922.

(4) The Air Navigation Orders, 1922 and 1923 are hereby revoked :

Provided that any certificate, licence, direction, permission, authorisation or rule, issued, given or made under those Orders or either of them and in force at the commencement of this Order, shall until revoked or superseded, remain in force as though the same has been issued, given or made under this Order.

M. P. A. Hankey.

SCHEDULES.

Schedule I.

Schedule I.

REGISTRATION AND MARKING OF AIRCRAFT.

A. *Registration.*

1. An aircraft shall not be registered in Great Britain and Northern Ireland unless it is owned wholly either—

(a) by British subjects or persons under His Majesty's protection; or

(b) by a company or corporation—

(i) registered and having its principal place of business in His Majesty's dominions or in territory which is under His Majesty's protection or in respect of which a mandate on behalf of the League of Nations has been accepted by His Majesty; and

(ii) whereof the chairman and at least two-thirds of the directors are British subjects or persons under His Majesty's protection :

and no aircraft shall be registered in Great Britain and Northern Ireland which is already validly registered in any other contracting State.

2. The registration of aircraft registered in Great Britain and Northern Ireland shall be carried out by the Secretary of State, who, upon such registration, shall grant a certificate of registration and shall assign to the registered aircraft a registration mark.

Schedule 1

5 & 6 Will.
4. c. 62.

The Secretary of State may in any case in which he thinks it desirable require the applicant for a certificate of registration under this Schedule, to make and subscribe a statutory declaration as to the truth of the facts set out in the application, and the provisions of the Statutory Declarations Act, 1835, shall apply to such a declaration.

3. In the event of any change in the ownership of a registered aircraft, or if a registered aircraft ceases to be owned wholly either by persons or by a company or corporation fulfilling the conditions set out in paragraph 1 of this Schedule, then:—

- (1) the registered owner of the aircraft shall forthwith notify the Air Ministry of such change of ownership or, as the case may be, that the aircraft has ceased to be so owned as aforesaid; and
- (2) the registration and the certificate thereof shall lapse as from the date of such change of ownership, or the date on which the aircraft ceased to be so owned.

4. When a registered aircraft has been destroyed or permanently withdrawn from use, the registered owner shall as soon as possible notify the Air Ministry accordingly, and the registration and the certificate thereof shall lapse as from the date of such notification.

5. Certificates of registration shall not remain valid unless renewed by the Secretary of State at intervals not exceeding twelve months.

6. The register of British aircraft registered in Great Britain and Northern Ireland shall be open to inspection at such times and subject to such conditions as may be prescribed.

B. Marking.

7. The British nationality mark shall be the capital letter G in Roman character, and the registration mark shall be a group assigned by the Secretary of State of four capital letters in Roman character, at least one of which shall be a vowel.

For the purposes of this provision the letter Y shall be treated as a vowel.

8. The aircraft shall carry affixed to the car or to the fuselage, in a prominent position, a metal plate inscribed with the names and residence of the owner and the marks of nationality and registration.

9. The nationality and registration marks shall also be painted in black on a white ground in the following manner, and (in the case of aircraft other than State or passenger or goods aircraft) the registration mark shall be underlined with a black line:—

- (a) *Flying Machines.*—The marks shall be painted once on the lower surface of the lower main planes, and once on the upper surface of the top main planes, the top of the letters to be towards the leading edge. They shall also be painted along each side of the fuselage between the main planes and the

tail planes. In cases where the machine is not provided with a fuselage the marks shall be painted on the nacelle.

- (b) *Airships and Balloons*.—In the case of airships the marks shall be painted near the maximum cross section on both sides and on the upper surface, equidistant from the letters on the sides. In the case of balloons the marks shall be painted twice near the maximum horizontal circumference as far as possible from one another. In the case both of airships and balloons the side marks shall be visible both from the sides and ground.

10. The nationality mark in the case of flying machines and airships shall also be painted on the port and starboard sides of the lower surface of the lowest tail planes or elevators and also on the upper surface of the top tail planes or elevators, whichever is the larger. It shall also be painted on both sides of the rudder, or on the outer sides of the outer rudders if more than one rudder is fitted.

In the case of balloons the nationality mark shall be painted on the basket.

11. In the case of flying machines the height of the marks on the main planes and tail planes respectively shall be equal to four-fifths of the chord, and, in the case of the rudder, shall be as large as possible. The height of the marks on the fuselage or nacelle shall be equal to four-fifths of the depth of the narrowest part of that portion of the fuselage or nacelle on which the marks are painted.

In the case of airships the nationality marks painted on the tail plane shall be equal in height to four-fifths of the chord of the tail plane, and, in the case of the rudder, shall be as large as possible. The height of the other marks shall be equal to at least one-twelfth of the circumference of the maximum transverse cross-section of the airship.

In the case of balloons the height of the nationality mark shall be equal to four-fifths of the height of the basket, and the height of the other marks shall be equal to at least one-twelfth of the circumference of the balloon.

In the case of all aircraft the letters of the nationality and registration marks need not exceed eight feet in height.

12. The width of the letters shall be two-thirds of their height, and the thickness shall be one-sixth of their height. The letters shall be painted in plain block type and shall be uniform in shape and size. A space equal to half the width of the letters shall be left between the letters.

13. In the case of underlined letters the thickness of the line shall be equal to the thickness of the letter. The space between the bottom of the letters and the line shall be equal to the thickness of the line.

14. Where the nationality and registration marks appear together, a hyphen of a length equal to the width of one of the letters shall be painted between the nationality mark and registration mark.

Schedule I.

15. The nationality and registration marks shall be displayed to the best possible advantage, taking into consideration the constructional features of the aircraft. The marks must be kept clean and visible.

*Schedule II.**Schedule II.*

CERTIFICATES OF AIRWORTHINESS FOR AIRCRAFT; PERIODICAL OVERHAUL AND EXAMINATION; DETENTION OF UNAIRWORTHY AIRCRAFT.

General.

1. A certificate of airworthiness in respect of one aircraft of any type (hereinafter referred to as "a type aircraft") may be issued by the Secretary of State in accordance with the conditions set out in this Schedule.

2. Where a certificate of airworthiness has been issued in respect of a type aircraft, the Secretary of State may issue certificates of airworthiness in respect of any other aircraft of that type if he is satisfied that such aircraft conforms in all essential respects with the type aircraft, is of satisfactory workmanship and materials, and is fitted with the prescribed instruments.

For the purpose of so satisfying himself, the Secretary of State may, as regards any or all of the matters in question, accept reports furnished to him—

- (a) by an authorised officer of the Air Ministry; or
- (b) by any person or firm whom the Secretary of State may appoint, authorise, or recognise as qualified for the purpose, upon the result of an inspection of the aircraft carried out by such person or firm, in accordance with such conditions and arrangements as may be approved by the Secretary of State:

Provided that the Secretary of State may take steps to test any inspection upon the result of which a report has been furnished to him as aforesaid (not being an inspection made by an authorised officer of the Air Ministry), and if such test inspection in his opinion warrants such a course, may order a further inspection to be carried out by any person or persons duly appointed or authorised by him, and may issue or refuse a certificate as he may decide after such further inspection:

Provided also that the Secretary of State may, after the test inspection, refuse to accept for the purpose of certificates of airworthiness further reports furnished by the person or firm to whom the test inspection relates.

Where a certificate of airworthiness has been issued in respect of a type aircraft, the certificate shall have effect as a certificate of the airworthiness of the particular aircraft for such period only and subject to renewal in like manner as a certificate issued in respect of an aircraft other than a type aircraft, but save as aforesaid a certificate issued in respect of a type aircraft shall continue as a valid certificate in respect of the type until cancelled by the Secretary of State.

3. A certificate of airworthiness shall remain valid only for such period as may be prescribed therein unless renewed by the Secretary of State for a further period. For the purpose of granting any such renewal the Secretary of State may require to be furnished with such evidence as to the existing condition of the aircraft as he may think fit. *Schedule II.*

Detention of unairworthy aircraft.

4. If the Secretary of State has reason to believe, on complaint or otherwise, that a passenger or goods aircraft within Great Britain and Northern Ireland is intended or is about to proceed on any flight while in a condition unfit for flight, he may give such directions and take such steps, by way of provisional detention of the aircraft or otherwise in relation thereto, as may be necessary for the purpose of causing the aircraft to be inspected by authorized representatives of the Secretary of State, and may, upon the result of such inspection, cause the aircraft to be detained until the execution of such alterations or repairs as he may consider necessary to render the aircraft fit for flight.

Type aircraft.

5. A certificate of airworthiness will not be granted for any type of aircraft until the following conditions have been fulfilled:—

- (a) The design has been approved by the Secretary of State in regard to safety;
- (b) The construction has been so approved in regard to workmanship and material used;
- (c) The necessary provision has been made for the equipment of the aircraft with such instruments as may be directed by the Secretary of State; and
- (d) A satisfactory demonstration in accordance with the directions of the Secretary of State has been made in flying trials that the aircraft is safe for the purpose for which it is intended.

Periodical Overhaul.

6. All British aircraft shall be inspected, overhauled and certified as airworthy from time to time in accordance with directions given by the Secretary of State by competent persons licensed by him in that behalf.

7. Aircraft, in respect of which a certificate of airworthiness has been issued under this Schedule, may be inspected by authorised representatives of the Secretary of State, and the Secretary of State may cancel or suspend the certificate of airworthiness of any aircraft deemed to be unsafe as a result of such inspection.

Examination before Flight.

8. An aircraft carrying passengers or goods for hire or reward shall not on any day commence any flight from a place in Great

Schedule 11. Britain and Northern Ireland unless the aircraft and the prescribed instruments have previously been inspected and certified in accordance with the following provisions :—

(a) The aircraft and the prescribed instruments shall have been inspected at least once on that day, or, in the case of a flight commencing not later than eight o'clock in the morning, at some time between noon of the previous day, or the termination of the last flight made by the aircraft on the previous day, whichever is the later, and the commencement of the flight in question.

(b) Such inspection shall be carried out by a person or persons licensed under this Order and in accordance with directions issued by the Secretary of State, and certificates in the prescribed form as to the safety for flight of the aircraft and instruments shall have been signed in duplicate by such person or persons.

9. The pilot of every aircraft shall satisfy himself before commencing any flight that—

(a) the aircraft is equipped with the prescribed instruments and equipment;

(b) the aircraft and the instruments and equipment are fit in every way for the proposed flight;

(c) the aircraft is so loaded as to comply with the conditions laid down in the certificate of airworthiness;

(d) the view of the pilot for the purpose of navigating the aircraft is not interfered with by any obstruction not forming part of the structure of the aircraft; and

(e) sufficient fuel oil and water are carried for the proposed flight;

and, in the case of an aircraft carrying passengers or goods for hire or reward, the pilot shall before commencing the flight sign in duplicate a certificate in the prescribed form which shall include such particulars as the Secretary of State shall direct.

10. One copy of each certificate signed under either of the two preceding paragraphs of this Schedule shall be retained by the owner of the aircraft until the aircraft is next inspected by the authorised representative of the Secretary of State referred to in paragraph 7 of this Schedule, and the duplicate copy shall be carried in the aircraft.

Licensing of competent persons.

11. Licences to competent persons for the purposes of this schedule shall be granted by the Secretary of State on compliance with such conditions as he may direct.

Validation of Certificates issued abroad.

12. When an aircraft is registered in Great Britain and Northern Ireland in respect of which a certificate of airworthiness has been granted by the duly competent authority in any other

part of His Majesty's Dominions or in any foreign State, and such certificate is in force at or immediately prior to the time of the registration of the aircraft in Great Britain and Northern Ireland, the Secretary of State may, subject to such conditions and limitations and for such period as he shall think fit, confer on such certificate the same validity as if it had been granted under this Order. *Schedule II.*

Schedule III.

Schedule III.

Log Books.

Log Books to be Kept.

1.—(1) The following log books shall be kept in respect of British aircraft registered in Great Britain and Northern Ireland :—

- (a) for every aircraft a journey log book ;
- (b) in addition, for every passenger or goods aircraft an aircraft log book and an engine log book and where more than one engine is fitted, a separate log book for each engine.

(2) Every pilot licensed under this Order shall keep a pilot's log book.

(3) The log books shall be kept up to date in the prescribed form and manner.

2. The journey log book shall be issued by the Secretary of State ; other log books shall be in the prescribed form.

3. The log books shall be preserved for two years after the last entry therein.

Instructions for Use of Log Books.

4.—(1) (a) The constructor shall fill in and sign the original entries in the aircraft and engine log books so far as he is in a position to do so.

Subsequent entries therein shall be made and signed by a competent person licensed in accordance with the provisions of Schedule II to this Order :

Provided that as regards matters which could not have come to the notice of such competent person as aforesaid the pilot shall be responsible for making and signing the entries.

(b) Entries in the journey log book shall be made and signed by such persons as may from time to time be prescribed.

(2) All entries shall be made in ink :

Provided that in the case of the journey log book the entries may be entered daily from a rough notebook kept in pencil. This rough notebook shall be produced when called for in the event of any inspection or investigation.

Schedule IV.

Schedule IV.

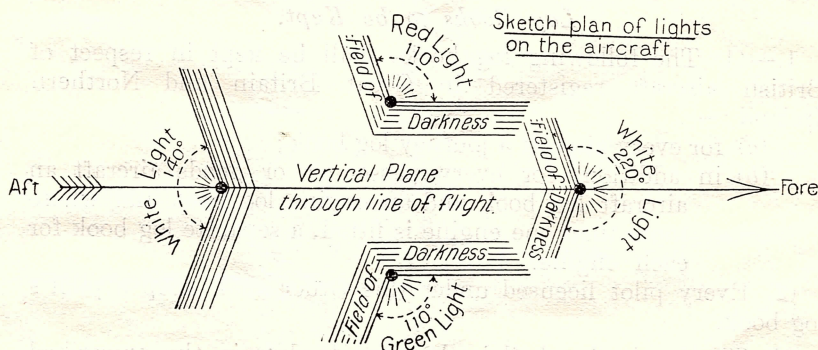
RULES AS TO LIGHTS AND SIGNALS AND RULES OF THE AIR.

Section I.

Rules as to Lights.

The word "visible" in these rules when applied to lights shall mean visible on a dark night with a clear atmosphere.

The angular limits laid down in these rules as shown in the sketch (attached) shall be determined when the aircraft is in its normal attitude for flying on a rectilinear horizontal course.



1. The rules concerning lights shall be complied with in all weathers from sunset to sunrise, and during such time no other lights which may be mistaken for the prescribed lights shall be exhibited. The prescribed navigation lights shall not be dazzling.

2. A flying machine, when in the air or manœuvring on land or water under its own power, shall carry the following lights:—

- (a) Forward, a white light visible in a dihedral angle of 220 degrees bisected by a vertical plane through the line of flight, and of such a character as to be visible at a distance of at least 5 miles.
- (b) On the right side, a green light so constructed and fixed as to show an unbroken light between two vertical planes whose dihedral angle is 110 degrees when measured to the right from dead ahead, and of such a character as to be visible at a distance of at least 3 miles.
- (c) On the left side, a red light so constructed and fixed as to show an unbroken light between two vertical planes whose dihedral angle is 110 degrees when measured to the left from dead ahead, and of such a character as to be visible at a distance of at least 3 miles.
- (d) The said green and red lights shall be fitted so that the green light shall not be seen from the left side, nor the red light from the right side.
- (e) At the rear, and as far aft as possible, a white light shining rearwards and visible in a dihedral angle of

140 degrees bisected by a vertical plane through the line of flight and of such a character as to be visible at a distance of at least 3 miles.

- (f) In the case where, in order to fulfil the above conditions, a single light has to be replaced by several lights, the field of visibility of each of these lights should be so limited that only one can be seen at a time.

3. The rules hereinbefore set out for the lighting of flying machines shall apply to airships subject to the following modifications:—

- (a) All lights shall be doubled, the forward and aft lights vertically, and the side lights horizontally in a fore and aft direction.

- (b) Both lights of each pair forward and aft shall be visible at the same time.

The distance between the lights comprising a pair shall not be less than 6 feet.

4. An airship, when being towed, shall carry the lights specified in paragraph 3, and, in addition, those specified in paragraph 6 of this Schedule for airships not under control.

5.—(a) A flying machine, or airship, when on the surface of the water, and when not under control, that is to say, not able to manœuvre as required by the Regulations for the Prevention of Collisions at Sea, shall carry two red lights not less than 6 feet apart one over the other, and of such a character as to be visible all round the horizon at a distance of at least 2 miles.

(b) Aircraft to which this paragraph applies, when not making way through the water, shall not carry the side lights, but when making way shall carry them.

6. An airship which from any cause is not under control, or which has voluntarily stopped her engines shall, in addition to the other specified lights, display conspicuously two red lights, one over the other, not less than 6 feet apart, and constructed to show a light in all directions, and of such a character as to be visible at a distance of at least 2 miles.

By day an airship, when being towed, and which from any cause is not under control, shall display conspicuously two black balls or shapes, each 2 feet in diameter, placed one over the other not less than 6 feet apart.

An airship moored, or under way but having voluntarily stopped its engines, shall display conspicuously by day a black ball or shape, 2 feet in diameter, and shall be treated by other aircraft as being not under control.

7. A free balloon shall carry one bright white light below the car at a distance of not less than 16 feet, and so constructed as to show an unbroken light in all directions, and of such a character as to be visible at a distance of at least 2 miles.

8. A fixed balloon shall carry in the same position as the white light mentioned in paragraph 7 of this Schedule, and in lieu of that light, three lights in a vertical line one over the other, not less than 6 feet apart. The highest and lowest of these lights

Schedule IV. shall be red, and the middle light shall be white, and they shall be of such a character as to be visible in all directions at a distance of at least 2 miles.

In addition, the mooring cable shall have attached to it at intervals of 1,000 feet, measured from the basket, groups of three lights similar to those mentioned in the preceding paragraph. In addition, the object to which the balloon is moored on the ground shall have a similar group of lights to mark its position.

By day the mooring cable shall carry in the same position as the groups of lights aforesaid, and in lieu thereof, tubular streamers not less than 8 inches in diameter and 6 feet in length, and marked with alternate bands of white and red, 18 inches in width.

9. An airship when moored near the ground shall carry the lights specified in paragraphs 2 (a) and (e) and 3 of this Schedule.

In addition, if moored but not near the ground, the airship, the mooring cable, and the object to which moored, shall be marked in accordance with the provisions of paragraph 8 of this Schedule, whether by day or by night.

Sea anchors or drogues used by airships for mooring purposes at sea are exempt from this regulation.

10. A flying machine stationary upon the land or water but not anchored or moored shall carry the lights specified in paragraph 2 of this Schedule.

11. In order to prevent collisions with surface craft:—

(a) A flying machine when at anchor or moored on the water shall carry forward, where it can best be seen, a white light, so constructed as to show an unbroken light visible all round the horizon at a distance of at least 1 mile.

(b) A flying machine of 150 feet or upwards in length, when at anchor or moored on the water, shall, in the forward part of the flying machine, carry one such light, and at or near the stern of the flying machine, and at a height that it shall not be less than 20 feet lower than the forward light, another such light.

The length of a flying machine shall be deemed to be the overall length.

(c) Flying machines of 150 feet or upwards in span, when at anchor or moored in the water, shall in addition carry at each lower wing tip one light as specified in (a) of this paragraph.

The span of a flying machine shall be deemed to be the maximum lateral dimension.

12. In the event of the failure of any of the lights specified under these rules to be carried by aircraft flying at night, such aircraft shall land at the first reasonably safe opportunity.

13. Nothing in these rules shall interfere with the operation of any special rules made by any State with respect to the additional station or signal lights for two or more military aircraft, or for

aircraft in formation, or with the exhibition of recognition signals adopted by owners of aircraft which have been authorised by their respective Governments and duly registered and published. *Schedule IV.*

Section II.

Rules as to Signals.

14.—(a) An aircraft wishing to land at night on an aerodrome having a ground control shall, before landing, fire a green pyrotechnical light or flash a green lamp intermittently. In addition, it shall make by international Morse code the letter group forming its call-sign.

(b) Permission to land will be given by the same call-sign from the ground, followed by a green pyrotechnical light, or flashing a green lamp intermittently.

15. The firing of a red pyrotechnical light or the display of a red flare from the ground shall be taken as an instruction that aircraft are not to land.

16. An aircraft compelled to land at night shall before landing fire a red pyrotechnical light or make a series of short and intermittent flashes with its navigation lights.

17. When an aircraft is in distress and requires assistance, the following shall be the signals to be used or displayed, either together or separately:—

(a) The international signal, S O S, by means of visual or wireless signals;

(b) The international code flag signal of distress, indicated by N C;

(c) The distant signal, consisting of a square flag having either above or below it a ball, or anything resembling a ball;

(d) A continuous sounding with any sound apparatus;

(e) A signal, consisting of a succession of white pyrotechnical lights fired at short intervals.

18. To warn an aircraft that it is in the vicinity of a prohibited zone and should change its course, the following signals shall be used:—

(a) By day: three discharges, at intervals of 10 seconds of a projectile showing, on bursting, white smoke, the location of the burst indicating the direction the aircraft should follow.

(b) By night: three discharges, at intervals of 10 seconds, of a projectile showing, on bursting, white stars, the location of the burst indicating the direction the aircraft should follow.

Schedule IV 19. To require an aircraft to land, the following signals shall be used:—

(a) By day: three discharges, at intervals of 10 seconds, of a projectile showing on bursting black or yellow smoke.

(b) By night: three discharges, at intervals of 10 seconds, of a projectile showing on bursting green stars or lights.

In addition, when necessary to prevent the landing of aircraft other than the one ordered, a searchlight which shall be flashed intermittently shall be directed towards the aircraft whose landing is required.

20.—(a) In the event of fog or mist rendering aerodromes invisible, their presence may be indicated by a balloon acting as an aerial buoy and/or other approved means.

(b) In fog, mist, falling snow or heavy rainstorm, whether by day or night, an aircraft on the water shall make the following sound signals with a sound apparatus:—

(1) If not anchored or moored, a sound at intervals of not more than two minutes, consisting of two blasts of about five seconds duration with an interval of about one second between them.

(2) If at anchor or moored, the rapid ringing of an efficient bell or gong for about five seconds at intervals of not more than one minute.

Section III.

Rules of the Air.

21. Flying machines shall always give way to balloons, fixed or free, and to airships. Airships shall always give way to balloons, whether fixed or free.

22. An airship, when not under its own control, shall be classed as a free balloon.

23. Risk of collision can, when circumstances permit, be ascertained by carefully watching the compass bearing and angle of elevation of an approaching aircraft. If neither the bearing nor the angle of elevation appreciably change, such risk shall be deemed to exist.

24. The term "risk of collision" shall include risk of injury due to undue proximity of other aircraft. Every aircraft that is required by these rules to give way to another to avoid collision shall keep a safe distance, having regard to the circumstances of the case.

25. While observing the rules regarding risk of collision contained in paragraph 24 of this Schedule, a motor-driven aircraft must always manœuvre according to the rules contained in the following paragraphs as soon as it is apparent that, if it pursued its course, it would pass at a distance of less than 200 yards from any part of another aircraft.

26. When two motor-driven aircraft are meeting end on, or nearly end on, each shall alter its course to the right.

27. When two motor-driven aircraft are on courses which cross, *Schedule IV.* the aircraft which has the other on its own right side shall keep out of the way of the other.

28. An aircraft overtaking another shall keep out of the way of the overtaken aircraft by altering its own course to the right, and must not pass by diving.

Every aircraft coming up with another aircraft from any direction more than 110 degrees from ahead of the latter, *i.e.*, in such a position with reference to the aircraft which it is overtaking that at night it would be unable to see either of that aircraft's side lights, shall be deemed to be an overtaking aircraft, and no subsequent alteration of the bearing between the two aircraft shall make the overtaking aircraft a crossing aircraft within the meaning of these rules, or relieve it of the duty of keeping clear of the overtaken aircraft until it is finally past and clear.

As by day the overtaking aircraft cannot always know with certainty whether it is forward or abaft the direction mentioned above from the other aircraft, it should, if in doubt, assume that it is an overtaking aircraft and keep out of the way.

29. Where by any of these rules one of the two aircraft is to keep out of the way, the other shall keep its course and speed. When, in consequence of thick weather or other causes, the aircraft having the right of way finds itself so close that collision cannot be avoided by the action of the giving-way aircraft alone, it shall take such action as will best aid to avert collision.

30. Every aircraft which is directed by these rules to keep out of the way of another aircraft shall, if the circumstances of the case admit, avoid crossing ahead of the other.

31. An aircraft flying along or in the neighbourhood of an officially recognised air route shall, so far as it may be safe and practicable,—

- (a) keep to the right-hand side of the route at a distance of not less than 100 yards therefrom;
- (b) when flying beneath low clouds, fly at such a distance below the clouds as will enable it readily to see and to be seen;
- (c) when crossing from one side of the route to the other cross at right angles thereto and as high as reasonably practicable;
- (d) when flying on the left of and parallel to the route keep a distance therefrom of not less than 7 miles.

32. All aircraft on land or sea about to ascend shall not attempt to take off until there is no risk of collision with alighting aircraft.

33. Every aircraft in a cloud, fog, mist, or other conditions of bad visibility shall proceed with caution, having careful regard to the existing circumstances and conditions.

34. In obeying and construing these rules, due regard shall be had to all dangers of navigation and collision and to any special circumstances which may render a departure from the above rules necessary in order to avoid immediate danger.

Section IV.

Ballast.

35. The dropping of ballast other than fine sand or water from aircraft in the air is prohibited.

Section V.

Rules for Air Traffic on and in the vicinity of Aerodromes.

36. At every licensed aerodrome if an aircraft about to land or leave finds it necessary to make a circuit or partial circuit, such circuit or partial circuit shall, except in case of distress, be left-handed (anti-clockwise).

37. When an aeroplane starts from an aerodrome it shall not turn until 500 yards distant from the nearest point of the aerodrome, and the turning must then conform with the regulations provided in the preceding paragraph.

38. All aeroplanes flying between 500 and 1,000 yards distant from the nearest point of an aerodrome shall conform to the above-mentioned circuit law, unless such aeroplanes are flying at a greater height than 6,000 feet.

39. Acrobatic landings are prohibited at aerodromes of contracting States used for international air traffic. Aircraft are prohibited from engaging in aerial acrobatics within a distance of at least 2,000 yards from the nearest point of such aerodromes.

40. At every licensed aerodrome the direction of the wind shall be clearly indicated by one or more of the recognised methods, *e.g.*, landing tee, conical streamer, smudge fire, &c.

41. Every aeroplane when taking off from or alighting on an aerodrome used for international air traffic shall do so up-wind, except when the natural conditions of the aerodrome do not permit.

42. In the case of aeroplanes approaching aerodromes for the purpose of landing, the aeroplane flying at the greater height shall be responsible for avoiding the aeroplane at the lower height, and shall as regards landing observe the rules of paragraph 28 of this Schedule for passing.

43. Aeroplanes showing signals of distress shall be given free way in attempting to make a landing on an aerodrome.

44. Every aerodrome shall be considered to consist of three zones when looking up-wind. The right-hand zone shall be the taking-off zone, and the left-hand shall be the landing zone. Between these there shall be a neutral zone. An aeroplane when landing should attempt to land as near as possible to the neutral zone, but in any case on the left of any aeroplanes which have already landed. After slowing up or coming to a stop at the end of its landing run, an aeroplane shall immediately taxi into the neutral zone. Similarly, an aeroplane when taking off shall keep as far as possible towards the right of the taking-off zone, but shall keep clear to the left of any aeroplanes which are taking off or about to take off.

45. No aeroplane shall commence to take off until the preceding aeroplane is clear of the aerodrome.

46. The above rules shall apply equally to night landings on aerodromes, when lights shall be placed on the aerodrome as follows :—

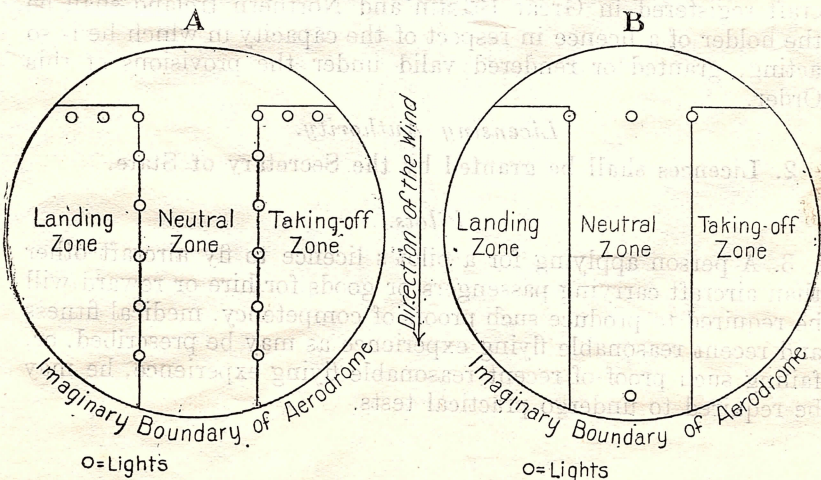
(a) The right-hand zone shall be marked by white lights placed in the position of an "L," and the left-hand zone shall be similarly marked. The "L's" shall be back to back, so that the long sides of the "L's" indicate the borders of the neutral zone. The direction of landing shall invariably be along the long arm of the "L," and towards the short arm. The lights of the "L's" should be so placed that the lights indicating the top extremity of the long arm shall be the nearest point on the aerodrome upon which an aeroplane can safely touch ground. The lights indicating the short arm of the "L" should indicate the limit of safe landing ground for the aeroplanes, that is, that the aeroplane should not over-run the short arm (*see Diagram A.*).

(b) Where it is desired to save lights and personnel the following system may be used :—

Two lights shall be placed on the windward side of the aerodrome to mark the limits of the neutral zone mentioned in paragraph 44 of this Schedule, the line joining the lights being at right angles to the direction of the wind.

Two more lights shall be placed as follows : one on the leeward side of the aerodrome on the line drawn parallel to the direction of the wind and passing midway between the two lights on the windward side, to show the extent of the aerodrome and the direction of the wind, and the other shall be placed midway between the two lights marking the limits of the neutral zone (*see Diagram B.*).

Additional lights may be placed symmetrically along the boundary lines of the neutral zone, and on the ends of the taking-off and landing zones on the line through the three lights on the windward side.



Schedule IV.

47. No fixed balloon, kite, or moored airship shall be elevated in the vicinity of any aerodrome without a special authorisation, except in the cases provided for in paragraph 20 of this Schedule.

48. Suitable markings shall be placed on all fixed obstacles dangerous to flying within a zone of 500 yards of all aerodromes.

Section VI.

General.

49. Every aircraft manœuvring under its own power on the water shall conform to the Regulations for Preventing Collisions at Sea, and for the purposes of these regulations shall be deemed to be a steam-vessel, but shall carry the lights specified in the preceding rules, and not those specified for steam-vessels in the Regulations for Preventing Collisions at Sea, and shall not use, except as specified in paragraphs 17 and 20 of this Schedule, or be deemed to hear the sound signals specified in the above-mentioned Regulations.

50. Nothing in these rules shall exonerate any aircraft, or the owner, pilot or crew thereof, from the consequences of any neglect to carry lights or signals, or of any neglect to keep a proper lookout, or of the neglect of any precaution which may be required by the ordinary practice of the air, or by the special circumstances of the case.

51. Nothing in these rules shall interfere with the operation of any special rule or rules approved by the Secretary of State and published relative to navigation of aircraft in the immediate vicinity of any aerodrome or other place, and it shall be obligatory on all owners, pilots, or crews of aircraft to obey such rules.

Schedule V.

LICENSING OF PERSONNEL.

1. Every person acting as a commander, pilot, navigator, engineer, or other operative member of the crew of a British aircraft registered in Great Britain and Northern Ireland shall be the holder of a licence in respect of the capacity in which he is so acting, granted or rendered valid under the provisions of this Order.

Licensing Authority.

2. Licences shall be granted by the Secretary of State.

Pilots.

3. A person applying for a pilot's licence to fly aircraft other than aircraft carrying passengers or goods for hire or reward will be required to produce such proofs of competency, medical fitness and recent reasonable flying experience as may be prescribed, or, failing such proof of recent reasonable flying experience, he may be required to undergo practical tests.

4. A person applying for a pilot's licence to fly aircraft carrying passengers or goods for hire or reward will be required— *Schedule V*

- (a) to produce such further proofs of competency as may be prescribed; and
- (b) to pass a medical examination carried out under arrangements approved by the Secretary of State; and
- (c) to submit proof of recent reasonable flying experience on the class of aircraft for which the licence is required, or failing such proof to undergo practical tests.

5. A person applying for a pilot's licence, who is qualified as a Royal Air Force pilot, shall be granted such exemptions from the requirements of the last two preceding paragraphs as the Secretary of State may direct.

Navigators.

6. A person applying for a licence to navigate aircraft will be required to—

- (a) pass a medical examination carried out under arrangements approved by the Secretary of State; and
- (b) produce such proofs of competency as may be prescribed.

Engineers.

7. A person applying for a licence as engineer in an aircraft will be required to—

- (a) pass a medical examination carried out under arrangements approved by the Secretary of State; and
- (b) produce such proofs of competency as may be prescribed.

Other Persons.

8. Persons applying for a licence in any other capacity than those above specified must comply with such conditions as may be directed by the Secretary of State.

Validation of Foreign Licences.

9. When a licence has been granted by the duly competent authority in any foreign State and is for the time being in force, the Secretary of State may, subject to such conditions and limitations and for such period as he shall think fit, confer on such licence the same validity for the purpose of flying British aircraft registered in Great Britain and Northern Ireland as if it had been granted under this Order.

Validity of Licences issued in His Majesty's Dominions.

10. A licence granted by the duly competent authority of any place within His Majesty's Dominions to a pilot, navigator or engineer shall for the purposes of this Order have the same

Schedule V. validity and effect and may be cancelled or suspended so far as relates to its validity within Great Britain and Northern Ireland in like manner and in the like circumstances as if it had been granted under this Order.

General.

11. Holders of licences may be required from time to time to undergo further medical examinations carried out under arrangements approved by the Secretary of State.

12. Licences shall remain valid for the following periods :

(a) Pilot's licence to fly aircraft carrying passengers or goods for hire or reward ... 6 months or until the completion of 250 hours' flying, whichever is the shorter ;

(b) Licence to navigate aircraft ;
licence to act as engineer of aircraft ; licence to act as operative member of the crew of passenger or goods aircraft } 6 months ;

(c) All other licences ... 12 months ;

and shall not be valid unless renewed at those intervals by the Secretary of State.

13. In this Schedule the expression " licence " includes a certificate of competency.

Schedule VI.

Schedule VI.

FEEs.

A.—Registration.

1. The fee chargeable on the issue of a certificate of registration of an aircraft shall be £1 1s. 0d. and for the renewal of the certificate 5s.

B.—Airworthiness.

2. The following fees shall be charged on the issue of a certificate of airworthiness for a type aircraft :—

	£	s.	d.
When the tare weight does not exceed—			
500 lbs. ...	12	10	0
750 " ...	25	0	0
1,000 " ...	30	0	0
1,500 " ...	35	0	0
2,000 " ...	40	0	0
3,000 " ...	44	0	0
4,500 " ...	50	0	0
6,000 " ...	56	0	0
8,000 " ...	64	0	0
10,000 " ...	72	0	0
12,500 " ...	80	0	0
For each additional 2,500 lbs....	7	10	0

Where an application is made for a certificate of airworthiness for a type aircraft which so far resembles a type aircraft in respect of which a certificate of airworthiness has already been issued by the Secretary of State as materially to reduce the work involved in carrying out the investigations, calculations, tests, and inspections necessary for the issue of the certificate which is applied for, the fee chargeable shall be reduced by such an amount as is, in the opinion of the Secretary of State, proportionate to such reduction as aforesaid.

3. The fee chargeable on the issue of a certificate of airworthiness for a subsequent aircraft of a type in respect of which a type certificate has been issued, and the fee chargeable for the renewal of any certificate of airworthiness, shall be £5 5s. 0d.

4. The fee chargeable for the validation of a certificate of airworthiness issued abroad shall be such a fee as is in the opinion of the Secretary of State reasonable, but shall not exceed in any case the fee which would be chargeable under paragraph 2 of this Schedule for the issue of a certificate of airworthiness for an aircraft of the same nominal horse-power.

C.—Aerodromes.

5.—(a) The following fees shall be charged on the issue and renewal of a licence for an aerodrome:—

When the distance from the nearest Royal Air Force station is	Fee chargeable.	
	On issue of licence.	On renewal of licence.
	£ s. d.	£ s. d.
Not more than 25 miles	1 1 0	1 1 0
More than 25 miles and not more than 50 miles ...	2 2 0	1 1 0
More than 50 miles	3 3 0	1 1 0

(b) The distance shall in each case be the distance measured in a straight line.

D.—Personnel.

6. The following fees shall be chargeable in respect of the issue and renewal of licences to personnel:—

(a) Where the application is for the issue of a licence.

Nature of Licence.	For Medical Examination.	For Technical Examination.	For Flying Test.	For Licence.
	£ s. d.	s. d.	£ s. d.	s. d.
Navigator	1 1 0	5 0	—	5 0
Engineer	1 1 0	5 0	—	5 0
Competent person under Schedule II.	—	5 0	—	5 0
Pilot	1 1 0	5 0	1 1 0	5 0

Schedule
VI.

(b) Where the application is for the renewal of a licence.

Nature of Licence.				For Medical Examination.	For Technical Examination (if required).	For Flying Test (if required).	For Licence.
				s. d.	s. d.	£ s. d.	s. d.
Navigator	...	...	...	10 6	5 0	—	5 0
Engineer	...	...	...	10 6	5 0	—	5 0
Competent person	under			—	5 0	—	5 0
Schedule II.							
Pilot	...	...	...	10 6	5 0	1 1 0	5 0

7. The fee chargeable for the validation of a licence granted by the duly competent authority in a foreign state to a navigator, engineer, or pilot shall be 5s.

E.—General.

8. A fee of 5s. shall be charged for the issue of a duplicate certificate or licence of any kind when the original is lost or destroyed.

9. An application for any certificate or licence or for the renewal of any certificate or licence shall be accompanied by a remittance to cover all the fees payable for the issue or renewal as the case may be, but when in any case the certificate or licence is not issued or renewed, the Secretary of State may refund to the applicant such proportion of the sum paid as represents any investigation, calculation, inspection, test or examination which has not been carried out as a result of the application.

F.—Log Books.

10. The fee chargeable for the issue of a journey log book shall be 4s.

Schedule
VII.

Schedule VII.

PROHIBITED AREAS.

1. The places named in the following list, as described therein, shall be prohibited areas and are more particularly shown in a map issued for the purpose by the Secretary of State:—

Firth of Forth.—An area enclosed by straight lines between the following places:—Hill House (one mile south of Dunfermline), Blackness Pier, Dalmeny Church, Inchmickery, Halleraig Point.

Sheerness.—Three statute miles from Garrison Point from 30° (true) to 190° (true); half a statute mile from Garrison Point from 190° (true) through West to 30° (true).

Chatham.—Three statute miles in all directions from Hoo Church.

Portsmouth.—Two statute miles from Dockyard Clock Tower from 180° (true) through West and North to 130° (true); one statute mile from Dockyard Clock Tower from 130° (true) to 180° (true).

Poole Harbour.—Three statute miles in all directions from Lytchett Minster Church.

Portland.—Two statute miles in all directions from Portland Castle.

Devonport.—Two statute miles in all directions from a point half a mile north of Stoke Church.

Pembroke.—Two statute miles in all directions from Wear Point.

2. Every aircraft which finds itself above a prohibited area in contravention of this Order shall, as soon as aware of the fact, give the signal of distress provided in paragraph 17 of Schedule IV., and land as soon as possible outside the prohibited area at one of the nearest aerodromes in Great Britain and Northern Ireland.

Provided that it shall not, unless compelled by stress of weather or other unavoidable cause, fly further into the prohibited area nor commence to descend while still above the prohibited area.

3. To warn an aircraft that it is in the vicinity of a prohibited area and should change its course, the signals prescribed in paragraph 18 of Schedule IV. shall be used.

4. The signals which may be given when an aircraft flies, or attempts to fly, over a prohibited area in contravention of this Order shall be those prescribed in paragraph 19 of Schedule IV.

5. Upon the signals referred to in paragraph 4 of this Schedule being given, the aircraft shall immediately give the signal referred to in paragraph 2 of this Schedule, and land in accordance with that rule.

6. If any aircraft flies, or attempts to fly, over any prohibited area or enters Great Britain and Northern Ireland in contravention of this Order, and if, after signals referred to in paragraph 4 of this Schedule have been given by, or by the direction of, a commissioned officer in His Majesty's Naval, Military, or Air Forces, the aircraft fails to respond thereto by complying with the procedure laid down in paragraph 5 of this Schedule, the officer may fire at or into such aircraft, and use any and every other means necessary to compel compliance, and every and any such officer and every other person acting in his aid and by his direction shall be and is hereby indemnified and discharged from any indictment, penalty, action, or other proceeding for so doing.

*Schedule
VIII.**Schedule VIII.*CUSTOMS RULES AS TO AIRCRAFT ARRIVING IN OR DEPARTING FROM
GREAT BRITAIN AND NORTHERN IRELAND.*Preliminary.*

1. For purposes of this Schedule—

“Importer” has the same meaning as in the Customs Consolidation Act, 1876;

“Commissioners” means Commissioners of Customs and Excise;

“Examination station” means a space at a Customs aerodrome approved by the Commissioners as an examination station;

“Pilot” includes person in charge.

Other expressions have the same meaning as in the general provisions of this Order.

Customs Aerodromes.

2. The Secretary of State may, subject to the concurrence of the Commissioners and to such conditions as to security and otherwise as he thinks fit, by directions approve aerodromes as “Customs Aerodromes” for purposes of the Acts relating to Customs, and remove aerodromes from the list of Customs Aerodromes.

Arrival at and departure from Customs Aerodromes.

3. An aircraft entering Great Britain and Northern Ireland from abroad shall not land in Great Britain and Northern Ireland for the first time in any journey except at a Customs aerodrome:

Provided that this paragraph shall not apply where an aircraft is compelled to land before arriving at a Customs aerodrome, owing to accident, stress of weather, or unavoidable cause, in which event the procedure laid down in paragraph 21 of this Schedule shall be followed.

4. No aircraft shall fly to a place outside Great Britain and Northern Ireland unless its place of final departure is a Customs aerodrome.

5. (i) No person in any aircraft entering Great Britain and Northern Ireland shall carry or allow to be carried in the aircraft any goods the importation of which is prohibited by the laws relating to Customs;

- (ii) No person in any aircraft entering Great Britain and Northern Ireland shall break or alter any seal placed upon any part of the aircraft or upon any goods therein by a Revenue officer at the aerodrome from which he departed for Great Britain and Northern Ireland.

6. An aircraft shall not enter or leave Great Britain and Northern Ireland, having any secret or disguised place adapted for concealing goods.

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VIII.*

Arrival at Customs Aerodromes from Foreign.

7. The pilot of an aircraft arriving at a Customs aerodrome from a place outside Great Britain and Northern Ireland shall, on landing, forthwith take his aircraft to the examination station at that aerodrome :

Provided that a pilot shall not be deemed to have contravened or failed to comply with this rule if he proves that circumstances over which he had no control prevented him from taking his aircraft to the examination station, and that, after the report required by paragraph 8 of this Schedule had been duly made by him, all goods carried in the said aircraft were removed to the examination station in the presence of an officer of Customs and Excise.

8. Within twenty-four hours after the landing at any Customs aerodrome of an aircraft from a place outside Great Britain and Northern Ireland the pilot shall—

- (a) make a report to the proper officer of Customs and Excise in the form prescribed by the Commissioners; and
- (b) truly furnish the several particulars required by such form; and
- (c) deliver to such officer with such report his journey log-book, manifest and declaration of the goods on board his aircraft signed by the proper Revenue officer at the aerodrome from which he departed for Great Britain and Northern Ireland; and
- (d) land at such aerodrome for examination of baggage all passengers carried in such aircraft, and, after making such reports, shall produce, and, if required to do so, shall land, all goods in such aircraft for examination.

Arrival at Customs Aerodromes from Aerodromes in Great Britain and Northern Ireland.

9. If at any aerodrome or other place within Great Britain and Northern Ireland goods or passengers are loaded for conveyance by air to a Customs aerodrome, the pilot shall obtain from the proprietor of the aerodrome of departure a certificate of departure in the form prescribed by the Secretary of State and the Commissioners, and on arriving at the Customs aerodrome shall produce such certificate to the proper officer of Customs and Excise.

Departure for Foreign from Customs Aerodromes.

10. The pilot of every aircraft in which goods are to be exported shall, before any goods are taken on board, deliver to the proper officer of Customs and Excise a notice of departure for a foreign destination in the form prescribed by the Commissioners, in which shall be truly stated the particulars required by such form.

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11.—(1) The pilot of every aircraft about to proceed direct to any place outside Great Britain and Northern Ireland shall deliver in duplicate, to the proper officer of Customs and Excise at a Customs aerodrome, together with the journey log book belonging to the aircraft, an application for clearance from that aerodrome in the form prescribed by the Commissioners, and also, if the aircraft carries any goods, a manifest and declaration in the form prescribed by the Commissioners declaring the goods and stores on such aircraft, and shall truly state therein the particulars required by such forms respectively; and such forms, when signed by such officer, shall be the clearance and authority for the aircraft to proceed to its foreign destination.

(2) A pilot shall not depart in any such aircraft from Great Britain and Northern Ireland until he has obtained such authority, and, after obtaining such authority, shall not call at any other place in Great Britain and Northern Ireland before proceeding to its foreign destination. Any pilot intending to land at one or more Customs aerodromes before proceeding to his foreign destination shall apply for his clearance and authority at the last Customs aerodrome at which he lands.

Importation, Entry and Unloading of Goods.

12. A person importing goods in an aircraft shall not bring the goods into any place in Great Britain and Northern Ireland other than a Customs aerodrome, or unload the goods from any aircraft except at an examination station (unless such goods are unloaded in the presence of an officer of Customs and Excise under the provisions of paragraph 7 of this Schedule), and shall not unload the goods except between such hours as the Commissioners prescribe, or remove the goods from an examination station unless the goods have first been duly entered in manner provided by these rules and produced to the proper officer of Customs and Excise and duly cleared by him.

13. A person shall not remove from any aircraft any goods imported therein until the report required by paragraph 8 of this Schedule has been made, and the authority of the proper officer of Customs and Excise has been obtained.

14. The importer of any goods imported in aircraft shall deliver to the Collector of Customs and Excise in whose district the aerodrome of importation is situated an entry of such goods in accordance with the provisions of the Acts relating to Customs, and shall truly furnish thereon the several particulars required by the form of entry, and shall pay to the proper Collector of Customs and Excise all duties chargeable thereon at the times and in the manner prescribed by the said Acts:

Provided that no entry shall be required in respect of the baggage of passengers.

15. All goods imported into a Customs aerodrome in any aircraft shall be duly entered and unladen within seven days from the time of the arrival of such aircraft at the aerodrome or within such further period as the Commissioners may allow.

16. All goods imported in aircraft which have not been examined and cleared by the proper Officer of Customs and Excise shall be stored in a transit shed at the Customs aerodrome, and no person shall remove such goods from the transit shed before examination and clearance by such officer.

Exportation of Goods.

17.—(1) The exporter of any goods intended for exportation in aircraft shall deliver to the proper Officer of Customs and Excise at the Customs aerodrome from which such aircraft is cleared to its foreign destination, an entry in the form prescribed by the Commissioners, and shall truly state in such form the particulars thereby required; and such form when signed by the proper Officer of Customs and Excise shall be the clearance and authority for the exportation of such goods.

(2) A person shall not export goods in such aircraft until such authority has been given by the proper Officer of Customs and Excise.

18. A person shall not without the consent of the proper Officer of Customs and Excise unload from any aircraft any goods loaded therein for exportation which have been cleared under paragraph 17 of this Schedule, or open, alter or break any lock, mark or seal placed by any Officer of Customs and Excise on any goods in any aircraft about to depart from Great Britain and Northern Ireland.

General Provisions.

19. If any Officer of Customs and Excise in the execution of his duty boards any aircraft in any place, the pilot thereof shall not convey him in the aircraft away from such place without his consent.

20. Dutiable goods shall not be removed in aircraft from the Isle of Man to any part of Great Britain and Northern Ireland except from a Customs aerodrome and with the consent of the proper Officer of Customs and Excise, and shall not be landed except at a Customs aerodrome; and dutiable goods removed under bond or on drawback to the Isle of Man from any part of Great Britain and Northern Ireland shall be produced to the proper Officer of Customs and Excise in the Isle of Man.

21. If any aircraft arriving from a place outside Great Britain and Northern Ireland shall land in any place other than a Customs aerodrome, the pilot shall forthwith report to an Officer of Customs and Excise or police constable, and shall on demand produce to such Officer or police constable the journey log book belonging to the aircraft, and shall not allow any goods to be unloaded therefrom without the consent of an Officer of Customs and Excise, and no passenger thereof shall leave the immediate vicinity without the consent of an Officer of Customs and Excise or police constable. If such place of landing shall be an aerodrome the pilot shall forthwith report the arrival of the aircraft and the place whence it came to the proprietor of the aerodrome, who shall forthwith

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report the arrival of the aircraft to an Officer of Customs and Excise, and shall not allow any goods to be unloaded therefrom or any passenger thereof to leave the aerodrome without the consent of such Officer.

22.—(1) The proprietor of any aerodrome shall at all times permit any Officer of Customs and Excise to enter and inspect his aerodrome and all buildings and goods thereon.

(2) The pilot of any aircraft shall permit any Officer of Customs and Excise at any time to board and inspect his aircraft, and any goods laden therein, and every such Officer shall have the right of access at any time to any place to which access is necessary for the purpose of such inspection.

(3) The importer or exporter of any goods imported or exported in an aircraft shall produce such goods to the proper Officer of Customs and Excise at the Customs aerodrome of importation or exportation, as the case may be, and permit him to inspect such goods.

23. The provisions of the Acts relating to Customs, other than those relating to coasting trade, shall, so far as they are applicable, and except as they are modified by this Schedule, apply to aircraft and to goods, mails and persons carried in or landed from them as they apply to ships and to goods, mails and persons carried in or landed from ships, except the following sections:—

39 & 40 Vict.
c. 36.

Sections 14, 50, 52, 100, 101, 126 to 129, 134, 136, 175, 179, 181, and 282 of the Customs Consolidation Act, 1876.

41 & 42 Vict.
c. 15.

Section 6 of the Customs and Inland Revenue Act, 1878.

46 & 47 Vict.
c. 55.

Sections 5 and 6 of the Revenue Act, 1883.

47 & 48 Vict.
c. 62.

Sections 2 (1) and 3 of the Revenue Act, 1884.

53 & 54 Vict.
c. 56.

Sections 1 to 4 of the Customs Consolidation Act, 1876, Amendment Act, 1890.

61 & 62 Vict.
c. 46.

Section 2 of the Revenue Act, 1898.

The Commissioners may modify the form of any document prescribed by the Acts relating to Customs, so as to make such form applicable to aircraft or to goods carried therein.

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Schedule IX.

ANNEX H OF THE CONVENTION.

CUSTOMS.

General Provisions.

1.

Any aircraft going abroad shall depart only from aerodromes specially designated by the customs administration of each contracting State, and named "customs aerodromes."

Aircraft coming from abroad shall land only in such aerodromes.

2.

Every aircraft which passes from one State into another is obliged to cross the frontier between certain points fixed by the contracting States. These points are shown on the aeronautical maps.

3.

All necessary information concerning customs aerodromes within a State, including any alterations made to the list and any corresponding alterations necessary on the aeronautical maps and the dates when such alterations become valid, and all other information concerning any international aerodromes which may be established, shall be communicated by the State concerned to the International Commission for Air Navigation, which shall notify such information to all of the contracting States. The contracting States may agree to establish international aerodromes at which there may be joint customs services for two or more States.

4.

When, by reason of a case of *force majeure*, which must be duly justified, an aircraft crosses the frontier at any other point than those designated, it shall land at the nearest customs aerodrome on its route. If it is forced to land before reaching this aerodrome it shall inform the nearest police or customs authorities.

It will only be permitted to leave again with the authorisation of these authorities, who shall, after verification, stamp the log book and the manifest provided for in paragraph 5: they shall inform the pilot of the customs aerodrome where he must necessarily carry out the formalities of customs clearance.

5.

Before departure, or immediately after arrival, according to whether they are going to or coming back from a foreign country, pilots shall show their log books to the authorities of the aerodrome and, if necessary, the manifest of the goods and supplies for the journey which they carry.

6.

The manifest is to be kept in conformity with the attached form No. 1.

The goods must be the subject of detailed declarations in conformity with the attached form No. 2, made out by the senders.

Every contracting State has the right to prescribe for the insertion either on the manifest or on the customs declaration of such supplementary entries as it may deem necessary.

7.

In the case of an aircraft transporting goods the customs officer, before departure, shall examine the manifest and declarations, make the prescribed verifications and sign the log book as well as the manifest. He shall verify his signature with a stamp. He shall seal the goods or sets of goods, for which such a formality is required.

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IX.

On arrival the customs officer shall ensure that the seal is unbroken, shall pass the goods, shall sign the log book and keep the manifest.

In the case of an aircraft with no goods on board, the log book only shall be signed by the police and customs officials.

The fuel on board shall not be liable to customs duties provided the quantity thereof does not exceed that needed for the journey as defined in the log book.

8.

As an exception to the general regulations, certain classes of aircraft, particularly postal aircraft, aircraft belonging to aerial transport companies regularly constituted and authorised and those belonging to members of recognised touring societies not engaged in the public conveyance of persons or goods, may be freed from the obligation of landing at a customs aerodrome and authorised to begin or end their journey at certain inland aerodromes appointed by the customs and police administration of each State at which customs formalities shall be complied with.

However, such aircraft shall follow the normal air-route, and make their identity known by signals agreed upon as they fly across the frontier.

Regulations applicable to Aircraft and Goods.

9.

Aircraft landing in foreign countries are in principle liable to customs duties if such exist.

If they are to be re-exported, they shall have the benefit of the regulations as to permit by bond or deposit of the taxes.

In the case of the formation, between two or more countries of the Union, of touring societies, the aircraft of the said countries will have the benefit of the regulations of the "Triptyque."

10.

Goods arriving by aircraft shall be considered as coming from the country where the log book and manifest have been signed by the customs officer.

As regards their origin and the different customs régimes, they are liable to the regulations of the same kind as are applicable to goods imported by land or sea.

11.

With regard to goods exported in discharge of a temporary receiving or bonded account or liable to inland taxes, the senders shall prove their right to send the goods abroad by producing a certificate from the customs of the place of destination.

Air Transit.

12.

When an aircraft to reach its destination must fly over one or more contracting States, without prejudice to the right of

sovereignty of each of the contracting States, two cases must be distinguished:—

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1. If the aircraft neither sets down nor takes up passengers or goods, it is bound only to keep to the normal air route and make itself known by signals when passing over the points designated for such purpose.

2. In other cases, it shall be bound to land at a customs aerodrome and the name of such aerodrome shall be entered in the log book before departure. On landing, the customs authorities shall examine the papers and the cargo, and take, if need be, the necessary steps to ensure the re-exportation of the craft and goods or the payment of the dues.

The provisions of paragraph 9 (2) are applicable to goods to be re-exported.

If the aircraft sets down or takes up goods, the customs officer shall verify the fact on the manifest, duly completed, and shall affix, if necessary, a new seal.

Various Provisions.

13.

Every aircraft during flight, wherever it may be, must conform to the orders from police or customs stations and police or customs aircraft of the State over which it is flying.

14.

Customs officers and excise officials, and generally speaking the representatives of the public authorities shall have free access to all starting and landing places for aircraft; they may also search any aircraft and its cargo to exercise their rights of supervision.

15.

Except in the case of postal aircraft, all unloading or throwing out in the course of flight, except of ballast, may be prohibited.

16.

In addition to any penalties which may be imposed by local law for infringement of the preceding regulations, such infringement shall be reported to the State in which the aircraft is registered, and that State shall suspend for a limited time, or permanently, the certificate of registration of the offending aircraft.

17.

The provisions of this Annex do not apply to military aircraft visiting a State by special authorisation (Articles 30, 31, and 32 of the Convention), nor to police and customs aircraft (Articles 30 and 33 of the Convention).

AIR NAVIGATION.

OR GENERAL DECLARATION OF CARGO.

Machine.....	{	Registration Mark.	
		
Commanding Officer.	{	Name :	
		Residence :	
		Nationality :	
		Number of Licence :	
Goods	{	Place of departure :	Country :
		Place of destination :	Country :
		Number of annexed declarations :	
		

The Commanding Officer guarantees the accuracy of the contents of this manifest under penalties provided by law. Consequently he has dated and signed this document immediately below the last entry.

File Number of Document.	Marks and Numbers on the Parcels.	Number (in Figures and Letters) and Descriptions of Parcels.	Nature of the Goods.	Weight.	Observations.

AIR NAVIGATION.

Place of Departure :

Customs declaration made by M.

Place of destination :

for the following goods :

Parcels.		Nature of Goods.	Detailed Description of Contents.	Country of origin.	Value.	Weight.		Observations.
Marks and Numbers.	Number.					Gross.	Net.	

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